

BILLING, FROM PAGE 10

past—firms are taking a more individual approach that looks at attorneys, their clients and their practices when establishing billing rates, Clay said.

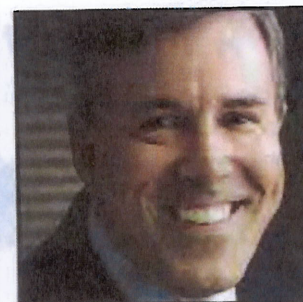
"Really superior lawyers are undervalued because of their fear of pushing up rates, but clients will still pay for the top-end lawyers," Clay said. "They recognize the value of those lawyers."

Indeed, three firms reported top partner hourly billing rates of \$1,000 or more, including Foley & Lardner at \$1,035; Winston & Strawn at \$1,075; and Locke Lord Bissell & Liddell at \$1,120. That highest rate is charged by Bryan Goolsby of Locke Lord—the Dallas-based head of the firm's real estate investment trust practice. The average firmwide partner billing rates at each of those firms was much lower, however.

#### SOME GROWTH IN ALTERNATIVES

Alternative fee arrangements remain a growing trend, according to the survey results. Nearly half of the firms that provided a percentage of their revenue derived from alternative fee arrangement in both 2009 and 2010—49%—said that percentage increased in the past year. The highest percentages were reported by Shook, Hardy & Bacon at 30%; Yoss at 30%; Stevens & Lee at 30%; and Vorys, Sater, Seymour and Pease at 27%.

A survey of 218 law firm managers by Altman Weil in May found that nearly 95% of firms offer some alternative fee arrangements, while *The*



**SLOW GROWTH:** Firms are still very cautious... about trying to push through rate increases, said Turn Clay of Altman Weil, above. Jackson Lewis' Patrick Vaccaro said clients want rate freezes or multiyear rates.

*American Lawyer's* law firm leaders survey showed that 93% of firms have used flat-fee arrangements. In a separate survey of general counsel conducted by *The American Lawyer* and the Association of Corporate Counsel this fall, 53% of GCs said they had used flat-fee billing for an entire matter.

Not everyone believes that the move toward alternative billing rates lives up to the hype, however. Morrison said discussion of those arrangements far outpaces actual agreements.

"Everyone says, 'There ought to be more ways to charge fees beyond the

billable hour, but it hasn't happened,'" Morrison said. "Most law departments are three people or less. They don't have the time or ability to craft alternative fee arrangements. Seventy percent of law departments can't do it, and don't care about it."

Indeed, the *American Lawyer* survey found that alternative fee arrangements account, on average, for 16% of firm revenue.

But those arrangements are increasingly what clients want, Vaccaro said. Many of the requests for proposals Jackson Lewis receives from potential clients seek

fee certainty and efficiency from outside counsel. The employment law firm has responded with flat rates, litigation caps and other alternative arrangements, but predicting costs and crafting profitable agreements is still a work in progress for Jackson Lewis' top-level managers who put together those deals.

"We can pretty well determine what the cost is going to be and build enough protections, but there is a considerable risk involved and we're willing to take that risk," Vaccaro said. "If you want to stay in business, you ought to be doing what the client wants."

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## BILLING SURVEY

# A nationwide sampling of law firm billing rates

The National Law Journal asked the respondents to its 2010 survey of the nation's 250 largest law firms to provide a range of hourly billing rates. Firms that supplied the information are listed in alphabetical order. Non-NLJ 250 firms appear separately.

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	NUMBER OF ATTORNEYS	FIRMWIDE		PARTNER			ASSOCIATE				
			AVERAGE	MEDIAN	HIGH	LOW	AVERAGE	MEDIAN	HIGH	LOW	AVERAGE	MEDIAN
Adams and Reese	New Orleans	265	\$265	\$270	\$550	\$250	\$344	\$340	\$290	\$195	\$229	\$235
Alston & Bird	Atlanta	786	\$515	\$505	\$865	\$450	\$627	\$615	\$590	\$270	\$405	\$405
Archer & Greiner	Haddonfield, N.J.	176			\$560	\$305			\$340	\$175		
Arent Fox	Washington	329			\$765	\$400			\$475	\$240		
Armstrong Teasdale	St. Louis	233			\$475	\$300			\$325	\$200		
Baker, Donelson, Bearman, Caldwell & Berkowitz	Memphis, Tenn.	552	\$312	\$305	\$595	\$255	\$357	\$348	\$320	\$165	\$231	\$230
Barnes & Thornburg	Indianapolis	494	\$367	\$375	\$613	\$298	\$418	\$415	\$355	\$225	\$261	\$260
Benesch, Friedlander, Coplan & Aronoff	Cleveland	161	\$315		\$575	\$350	\$335		\$360	\$195	\$245	
Bea Best & Krieger	Riverside, Calif.	183			\$550	\$310			\$395	\$225		
Blank Rome	Philadelphia	472	\$510	\$495	\$855	\$440	\$615	\$625	\$550	\$250	\$361	\$353
Bond, Schoenck & King	Syracuse, N.Y.	139	\$260	\$255	\$475	\$220	\$309	\$330	\$280	\$160	\$208	\$210
Briggs and Morgan	Minneapolis	190	\$373	\$390	\$600	\$290	\$437	\$440	\$315	\$210	\$240	\$235
Broad and Cassel	Orlando, Fla.	160	\$307	\$295	\$475	\$260	\$372	\$375	\$350	\$175	\$242	\$248
Brownstein Hyatt Farber Schreck	Denver	248	\$391	\$380	\$810	\$295	\$463	\$448	\$360	\$200	\$256	\$255
Bryan Cave	St. Louis	928	\$464	\$450	\$790	\$370	\$553	\$540	\$550	\$185	\$344	\$345
Buchalter Nemer	Los Angeles	164	\$415	\$415	\$625	\$270	\$490	\$495	\$450	\$195	\$328	\$310
Buchanan Ingersoll & Rooney	Pittsburgh	423			\$900	\$310			\$465	\$210		
Burr & Forman	Birmingham, Ala.	256	\$328	\$330	\$500	\$210	\$361	\$365	\$355	\$200	\$250	\$250
Butzel Long	Detroit	181			\$750	\$300			\$375	\$200		
Carlton Fields	Tampa, Fla.	275	\$388	\$390	\$775	\$325	\$455	\$455	\$375	\$195	\$268	\$270
Chadbourne & Parke	New York	444	\$456	\$450	\$995	\$390	\$769	\$785	\$625	\$110	\$442	\$455
Cozen O'Connor	Philadelphia	521	\$422	\$390	\$880	\$310	\$497	\$475	\$585	\$225	\$326	\$320
Curtis, Mallet-Prevost, Colt & Mosle	New York	252	\$489	\$480	\$785	\$675	\$669	\$675	\$575	\$290	\$365	\$350
Davis Wright Tremaine	Seattle	491	\$355	\$365	\$795	\$320	\$486	\$480	\$435	\$210	\$304	\$305
Dickinson Wright	Detroit	230			\$575	\$355			\$275	\$195		
Dickstein Shapiro	Washington	336	\$546	\$530	\$890	\$525	\$656	\$650	\$530	\$265	\$426	\$450
Dinsmore & Shohl	Cincinnati	402	\$302	\$290	\$590	\$220	\$360	\$355	\$300	\$175	\$222	\$218
Dorsey & Whitney	Minneapolis	578	\$410	\$395	\$795	\$440	\$515	\$515	\$290	\$180	\$285	\$270
Duane Morris	Philadelphia	629	\$483	\$483	\$850	\$240	\$550	\$545	\$480	\$135	\$349	\$350
Dykens Gossett	Detroit	333	\$445	\$450	\$635	\$360	\$495	\$515	\$450	\$225	\$325	\$320
Eckert Seamans Cherin & Mellott	Pittsburgh	329			\$625	\$250			\$320	\$150		
Edwards Angell Palmer & Dodge	Boston	305	\$451	\$450	\$780	\$345	\$571	\$575	\$610	\$200	\$323	\$303
Epsilon Becker & Green	New York	382	\$429	\$425	\$850	\$350	\$520	\$500	\$450	\$180	\$325	\$320
Fisher & Phillips	Atlanta	238			\$505	\$340			\$360	\$220		
Fitzpatrick, Cella, Harper & Scinto	New York	175			\$730	\$460			\$440	\$275		\$325
Foley & Lander	Milwaukee	895	\$554	\$570	\$1,035		\$654	\$640		\$255	\$426	\$410
Ford & Harrison	Atlanta	176			\$620	\$375			\$390	\$250		
Fox Rothschild	Philadelphia	472	\$407	\$415	\$690	\$315	\$473	\$470	\$475	\$235	\$298	\$290
Frost Brown Todd	Cincinnati	404	\$279	\$280	\$515	\$200	\$326	\$325	\$250	\$150	\$189	\$190
Gardere Wynne Sewell	Dallas	270	\$445	\$450	\$815	\$380	\$531	\$525	\$445	\$195	\$311	\$310
Gibbons	Newark, N.J.	223	\$404	\$410	\$790	\$390	\$479	\$475	\$450	\$250	\$289	\$275
Godfrey & Kalin	Milwaukee	172			\$495	\$325			\$340	\$180		
Givens Robinson	Orlando, Fla.	250			\$750	\$225			\$315	\$150		
Greenberg Traurig	New York	1,763	\$453	\$480	\$875	\$355	\$550	\$540	\$610	\$200	\$337	\$350
Harris Beach	Rochester, N.Y.	176			\$500	\$275			\$250	\$140		
Hiscock & Barclay	Syracuse, N.Y.	175	\$311	\$275	\$650	\$195	\$348	\$305	\$440	\$150	\$234	\$195

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SAMPLING, FROM PAGE 12

FIRM NAME	PRINCIPAL OR LARGEST OFFICE	NUMBER OF ATTORNEYS	FIRMWIDE		PARTNER				ASSOCIATE			
			AVERAGE	MEDIAN	HIGH	LOW	AVERAGE	MEDIAN	HIGH	LOW	AVERAGE	MEDIAN
Hodgson Russ	Buffalo, N.Y.	197	\$328	\$320	\$685	\$230	\$374	\$370	\$410	\$175	\$238	\$230
Holland & Knight	Washington	942	\$418	\$425	\$850	\$300	\$499	\$495	\$480	\$185	\$288	\$280
Holme Roberts & Owen	Denver	192	\$355	\$345	\$635	\$285	\$415	\$410	\$530	\$170	\$295	\$285
Husch Blackwell	St. Louis	554	\$329	\$331	\$804	\$230	\$357	\$375	\$415	\$171	\$220	\$205
Jackson Kelly	Charleston, W.Va.	161			\$495	\$245			\$275	\$155		
Jackson Lewis	White Plains, N.Y.	661	\$364	\$300	\$715	\$260	\$428	\$430	\$440	\$150	\$282	\$275
Jones, Walker, Wachtler, Poitevent, Carrère & Denigre	New Orleans	302			\$620	\$195			\$275	\$140		
Kelley Drye & Warren	New York	325			\$900	\$465			\$565	\$275		
Kilpatrick Stockton	Atlanta	423	\$475	\$425	\$730	\$375	\$527	\$520	\$485	\$225	\$320	\$320
Knubbe, Mariens, Olson & Bear	Irvine, Calif.	266	\$432	\$415	\$710	\$395	\$511	\$485	\$450	\$285	\$332	\$335
Lane Powell	Seattle	175	\$349	\$380	\$600	\$310	\$431	\$430	\$350	\$230	\$278	\$275
Lathrop & Gage	Kansas City, Mo.	296			\$490	\$255			\$265	\$180		
Lindquist & Vennum	Minneapolis	184	\$330	\$350			\$415	\$410			\$235	\$230
Little Mendelson	San Francisco	764	\$372	\$355	\$650	\$290	\$445	\$435	\$480	\$210	\$296	\$285
Locke Lord Bissell & Liddell	Dallas	642	\$486	\$515	\$1,120	\$400	\$599	\$600	\$525	\$215	\$320	\$300
Loeb & Loeb	New York	300			\$975	\$475			\$575	\$275		
Lowenstein Sandler	Roseland, N.J.	238			\$825	\$440			\$575	\$235		
Manatt, Phelps & Phillips	Los Angeles	320	\$568	\$590	\$850	\$525	\$651	\$650	\$525	\$200	\$405	\$410
Marshall, Dennehey, Warner, Coleman & Guggin	Philadelphia	412			\$410	\$145			\$320	\$130		
Maynard, Couper & Gale	Birmingham, Ala.	212			\$600	\$325			\$295	\$235		
McCarter & English	Newark, N.J.	382	\$355	\$400	\$825	\$360	\$498	\$485	\$405	\$215	\$313	\$315
McElroy, Deutsch, Mulvaney & Carpenter	Morristown, N.J.	269	\$210	\$225	\$550	\$295	\$280	\$260	\$275	\$150	\$190	\$185
McGuireWoods	Richmond, Va.	872	\$455	\$450	\$830	\$325	\$543	\$535	\$500	\$220	\$355	\$350
McKenna Long & Aldridge	Atlanta	429	\$455	\$410	\$775	\$375	\$540	\$525	\$490	\$220	\$366	\$355
Michael Best & Friedrich	Milwaukee	214	\$346	\$345	\$650	\$295	\$400	\$390	\$320	\$190	\$239	\$230
Miles & Stockbridge	Baltimore	223			\$695	\$325			\$370	\$220		
Miller & Martin	Chattanooga, Tenn.	192	\$328	\$335	\$610	\$235	\$361	\$365	\$275	\$180	\$218	\$210
Moore & Van Allen	Charlotte, N.C.	282	\$364	\$350	\$785	\$265	\$441	\$425	\$350	\$180	\$257	\$250
Nelson Mullins Riley & Scarborough	Columbia, S.C.	400	\$347	\$340	\$850	\$245	\$399	\$385	\$335	\$185	\$248	\$240
Nixsen Pruet	Columbia, S.C.	178			\$525	\$230			\$250	\$160		
Nixon Peabody	New York	682	\$429	\$430	\$905	\$375	\$613	\$625	\$580	\$195	\$388	\$385
Ogletree, Deakins, Nash, Smoak & Stewart	Greenville, S.C.	485	\$351		\$575	\$300	\$389		\$390	\$195	\$285	
Patton Boggs	Washington	525	\$482	\$485	\$990	\$355	\$645	\$625	\$550	\$215	\$399	\$400
Pepper Hamilton	Philadelphia	458	\$326		\$825	\$420	\$547		\$465	\$230	\$329	
Perkins Coie	Seattle	683	\$447		\$825	\$275	\$534	\$530	\$570	\$200	\$354	
Phelps Dunbar	New Orleans	281	\$226	\$215	\$385	\$180	\$272	\$265	\$240	\$145	\$183	\$180
Phillips Lytle	Buffalo, N.Y.	177	\$255	\$260	\$535	\$260	\$352	\$350	\$450	\$150	\$283	\$230
Polsinelli Shughart	Kansas City, Mo.	500			\$600	\$250			\$325	\$185		
Quarles & Brady	Milwaukee	419	\$364	\$360	\$600	\$290	\$438	\$435	\$400	\$210	\$260	\$245
Roetzel & Andress	Akron, Ohio	2.5	\$317	\$325	\$525	\$225	\$357	\$350	\$325	\$165	\$243	\$245
Rutan & Tucker	Costa Mesa, Calif.	133			\$650	\$355			\$450	\$225		
Saul Ewing	Philadelphia	719	\$412	\$425	\$800	\$320	\$491	\$478	\$475	\$225	\$310	\$285
Schulte Roth & Zabel	New York	433			\$895	\$735			\$690	\$275		
Seyfarth Shaw	Chicago	704	\$377	\$375	\$770	\$335	\$505	\$503	\$535	\$185	\$325	\$320
Sheppard, Mullin, Richter & Hampton	Los Angeles	464			\$820	\$495			\$620	\$270		
Shumaker, Loop & Kendrick	Toledo, Ohio	2.0	\$331	\$350	\$540	\$250	\$366	\$365	\$315	\$185	\$246	\$235
Smith, Gambrell & Russell	Atlanta	175			\$740	\$325			\$440	\$195		
Snell & Wilmer	Phoenix	396	\$338	\$325	\$795	\$315	\$485	\$475	\$550	\$175	\$282	\$285
Stetl Rives	Portland, Ore.	368	\$381	\$295	\$600	\$315	\$441	\$443	\$390	\$190	\$270	\$265
Strasburger & Price	Dallas	181	\$336	\$351	\$617	\$250	\$372	\$393	\$306	\$194	\$243	\$245
Taft, Stettinius & Hollister	Cincinnati	286	\$315	\$315	\$500	\$220	\$358	\$350	\$365	\$165	\$227	\$225

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